

On February 28, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

15632. Misbranding of alfalfa meal. U. S. v. 300 Sacks of Alfalfa Meal. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22470. I. S. No. 17463-x. S. No. 585.)

On or about February 23, 1928, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 300 sacks of alfalfa meal, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the California Hawaiian Milling Co., from San Francisco, Calif., on or about December 1, 1927, and transported from the State of California into the State of Oregon, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "C and H Poultry Meal Fancy Alfalfa Meal * * * Crude Protein, not less than 18% * * * Manufactured by California Hawaiian Milling Co., * * * San Francisco, Calif."

It was alleged in the libel that the article was misbranded, in that the statement on the label, "Crude Protein not less than 18%," was false and misleading and deceived and misled the purchaser.

On February 29, 1928, the California Hawaiian Milling Company, Inc., San Francisco, Calif., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$50, conditioned in part that it not be sold or otherwise disposed of until relabeled in manner satisfactory to this department.

W. M. JARDINE, *Secretary of Agriculture.*

15633. Adulteration of figs. U. S. v. 500 Bags of Dried Figs. Product ordered released under bond. (F. & D. No. 22405. I. S. No. 13160-x. S. No. 498.)

On January 28, 1928, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 500 bags of figs, remaining in the original unbroken packages at Denver, Colo., shipped by the Duane Trading Co., New York, N. Y., alleging that the article had been shipped in interstate commerce, on or about October 1, 1927, from New York, N. Y., into the State of Colorado, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "FAB Sterling Natural Figs, Smyrna, Turkey."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On March 1, 1928, the Merchants Biscuit Co., Denver, Colo., having appeared as claimant for the property, a decree was entered ordering that the product be released to the said claimant upon the execution of a bond in the sum of \$3,500, conditioned that it not be used or disposed of contrary to law. It was further ordered by the court that the product be examined under the supervision of this department, that any figs found to be adulterated be condemned and destroyed, and that the bond be released upon compliance with the terms of the decree and payment of costs by the claimant.

W. M. JARDINE, *Secretary of Agriculture.*

15634. Adulteration and misbranding of cottonseed meal and cake. U. S. v. 120 Sacks of Cottonseed Meal and 280 Sacks of Cottonseed Cake. Products ordered released under bond to be relabeled. (F. & D. No. 22139. I. S. Nos. 23016-x, 23017-x. S. No. 200.)

On November 9, 1927, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 120 sacks of cottonseed meal, and 280 sacks of cottonseed cake, remaining in the original packages at Des Moines, N. Mex., alleging that the articles had been shipped by the Quanah Cotton Oil Co., Quanah, Tex., October 26, 1927, and had been transported from the State of Texas into the State of New Mexico, and charging adulteration and misbranding in violation of the food and drugs act. The articles were labeled in part: (Tag) "43 Per

Cent Protein, Cottonseed Meal (or "Cake") Prime Quality, Manufactured by Quanah Cotton Oil Co., Quanah, Texas, Guaranteed Analysis, Crude Protein Not Less than 43 Per Cent."

It was alleged in the libel that the said sacks were misbranded and the contents thereof adulterated in that the said statements, on the labels, regarding the chemical contents of the articles, were false and misleading and were intended and calculated to deceive and did deceive the purchaser, in that products containing less than 43 per cent of protein had been substituted for 43 per cent protein cottonseed meal and cake, which the articles purported to be.

On December 30, 1927, the Quanah Cotton Oil Co., Quanah, Tex., having appeared as claimant for the property and having admitted the allegations of the libel, a decree was entered finding that the products should be relabeled to show that they contained 40½ per cent of protein, and it was ordered by the court that the said products be released to the claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, conditioned in part that they be relabeled to show the true protein content.

W. M. JARDINE, *Secretary of Agriculture.*

15635. Adulteration and misbranding of cottonseed meal. U. S. v. 50 Sacks of Cottonseed Meal. Product ordered released under bond. (F. & D. No. 22189. I. S. No. 23070-x. S. No. 241.)

On November 21, 1927, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 50 sacks of cottonseed meal, remaining in the original packages at Tucumcari, N. Mex., alleging that the article had been shipped by the Memphis Cotton Oil Co., Memphis, Tex., on November 8, 1927, and had been transported from the State of Texas into the State of New Mexico, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "43% Protein Cottonseed Meal, Prime Quality, Manufactured by Memphis Cotton Oil Company, Memphis, Texas, Guaranteed Analysis: Crude Protein not less than 43.00 Per Cent."

It was alleged in the libel that the said sacks were misbranded and the contents thereof adulterated in that the said statements on the labels, regarding the chemical contents of the article, were false and misleading and intended and calculated to deceive, and did deceive the purchaser, in that a product containing less than 43 per cent of protein had been substituted for 43 per cent protein cottonseed meal, which the article purported to be.

On December 17, 1927, the Memphis Cotton Oil Co., Memphis, Tex., having appeared as claimant for the property and having admitted the allegations of the libel, a decree was entered finding that the product should be relabeled to show that it contained 40½ per cent of protein, and it was ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, conditioned in part that it be relabeled to show the true protein content.

W. M. JARDINE, *Secretary of Agriculture.*

15636. Adulteration of Brazil nuts. U. S. v. 25 Bags of Brazil Nuts. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 22129. I. S. No. 20354-x. S. No. 179.)

On November 1, 1927, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 25 bags of Brazil nuts, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Wm. A. Higgins & Co., from New York, N. Y., on or about August 20, 1927, and had been transported from the State of New York into the State of Maryland, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On November 19, 1927, the Palmer Harvey Co., Baltimore, Md., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, conditioned in part that it not be disposed of until the nuts had been separated, picked, and reconditioned.

W. M. JARDINE, *Secretary of Agriculture.*